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State of California—Health and Human Services Agency
California Department of Public Health

Northern California Drinking Water Field Operations Branch
Monterey District



EDMUND G. BROWN JR.
Governor

November 6, 2013

Mr. Larry Tierney
District Facilities Manager
CSP Limekiln
2211 Garden Road
Monterey, CA 93940

Attention Mr. Tierney:

CITATION NO. 02-05-13C-011-2710306-24
BACTERIOLOGICAL MONITORING AND REPORTING VIOLATION FOR SEPTEMBER 2013
CSP LIMEKILN – WATER SYSTEM NO. 2710306

Enclosed is a Citation issued to the CSP Limekiln water system for failure to comply with the bacteriological monitoring and reporting requirements specified in Sections 64423(a) and 64423.1(c), Chapter 15, Title 22, of the California Code of Regulations. Specifically, the water system failed to collect and report the required number of bacteriological samples during the month of September 2013.

The Citation consists of four sections: Violation, Background, Directives, and Further Enforcement Actions. The Violation and Background sections describe the events leading up to the issuance of the Citation. The Directives section specifies required actions that must be implemented by the water system to return to compliance. The Further Enforcement Actions section describes penalties to be assessed for failure to comply with the Citation. No civil penalty is levied with the attached Citation.

Your water system will be billed at the Department's hourly rate for the time spent on issuing this Citation since this is an enforcement action for noncompliance with state regulations. The water system will receive a bill from our Fee Billing Unit in Sacramento. If you have any questions regarding this matter, please contact Shaminder Kler of my staff at (831) 655-6938 or me at (831) 655-6934.

Sincerely,

Jan R. Sweigert, P.E.
District Engineer, Monterey District
DRINKING WATER FIELD OPERATIONS BRANCH

Enclosures

CERTIFIED MAIL NO. 7008-1830-0004-5435-4743

cc (w/enclosures): Mr. Marc Lewis
Water and Sewage Plant Supervisor
Big Sur Station Highway 1 #1
Pfeiffer Big Sur State Park
47555 Highway 1
Big Sur, CA 93920

Monterey County Environmental Health Department

STATE OF CALIFORNIA

DEPARTMENT OF PUBLIC HEALTH

Date of Issuance: November 6, 2013

RE: CSP Limekiln
Water System No. 2710306

TO: Mr. Larry Tierney
District Facilities Manager
CSP Limekiln
2211 Garden Road
Monterey, CA 93940

CITATION FOR NONCOMPLIANCE

BACTERIOLOGICAL MONITORING AND REPORTING VIOLATION

SEPTEMBER 2013

Chapter 4, Article 9, Section 116650 of the California Health and Safety Code (H&S Code) authorizes the issuance of a Citation for failure to comply with this Chapter (California Safe Drinking Water Act) or any regulation, standard, permit, or order issued or adopted thereunder.



Violation

The California Department of Public Health, Drinking Water Field Operations Branch, (hereinafter "Department") hereby issues a Citation to the CSP Limekiln water system for the following violation:

Violation of bacteriological monitoring and reporting requirements for compliance with the Total Coliform Rule (TCR) pursuant to Sections 64423(a) and 64423.1(c), Chapter 15, Title 22, of the California Code of Regulations (CCR).

Section 64423(a) specifies that each water supplier shall collect routine bacteriological samples based on the classification of the water system, the source of the water, the known population served, or the total number of service connections.

Section 64423.1(c) specifies that analytical results for all required samples collected for a system in a calendar month shall be reported to the Department not later than the tenth day of the following month.

The CSP Limekiln water system failed to collect the required number of routine bacteriological water samples and report the analytical results to the Department pursuant to Sections 64423(a) and 64423.1(c), Chapter 15, Title 22, CCR, for September 2013. This constitutes a violation of bacteriological monitoring and reporting requirements for compliance with the TCR for the CSP Limekiln water system during the month of September 2013.



Background

CSP Limekiln is a transient non-community water system that is part of the California State Parks system. The water system serves a transient population of approximately 200 persons through 20 service connections through a day use area and forty campsites, including two restroom facilities. It also provides domestic water for a small office building and one residential mobile home. The CSP Limekiln water system is required to collect two bacteriological samples from the distribution system per month for compliance with the TCR.

On October 9, 2013, Mr. Marc Lewis, Water & Sewage Plant Superintendent for the CSP Limekiln water system, notified Department staff that only one of two required monthly samples for September 2013 were collected for bacteriological analysis testing.

Failure to collect and report two distribution system bacteriological samples during September 2013, resulted in violation of bacteriological monitoring and reporting requirements for the CSP Limekiln water system for the month of September 2013.

Prior Violations

On September 25, 2012, the Department issued Citation No. 02-05-12C-015 to the CSP Limekiln water system for failure to comply with Sections 64423(a) and 64423.1(c), Chapter 15, Title 22, CCR. Specifically, the water system failed to collect and report the required number of bacteriological samples during the month of August 2012.



1 On October 5, 2012, the Department issued Citation No. 02-05-12C-016 to the
2 CSP Limekiln water system for failure to comply with Sections 64423(a) and
3 64423.1(c), Chapter 15, Title 22, CCR. Specifically, the water system failed to
4 collect and report the required number of bacteriological samples during the
5 month of September 2012.

6
7 The Department was notified that during the compliance periods of August and
8 September 2012, all operational services for the CSP Limekiln water system had
9 been transferred to "Park Management Company" (PMC). At this time, PMC is
10 no longer involved with operation of the water system and CSP Limekiln staff has
11 all operations responsibility.

12
13 **Directives**

14
15 The CSP Limekiln water system is hereby directed to take the following actions:

16
17 1. Immediately cease and desist from failing to comply with Sections
18 64423(a) and 64423.1(c), Chapter 15, Title 22, CCR.

19
20 2. Conduct public notification of the bacteriological water quality monitoring
21 and reporting violation in conformance with Section 64463.7, Chapter 15,
22 Title 22, CCR. The notification shall be completed in accordance with the
23 following:

- 24
25 • Posting of the Public Notification in conspicuous places within the
26 area served by the water system within thirty (30) days of receipt of
27



1 this Citation. The Public Notification shall remain posted for a
2 minimum of seven (7) consecutive days.

- 3
- 4 • By one of the following secondary methods to reach persons not
5 likely to be reached by posting;

- 6
- 7 ➤ By publication in a local newspaper or newsletter distributed to
8 customers, by internet posting of the notice or by direct delivery
9 to each customer served by the CSP Limekiln water system.
10 Notice by secondary method shall be conducted within thirty
11 (30) days of receipt of this Citation. If the water system opts to
12 issue the notice via internet website, the notice shall remain
13 posted for a minimum of seven (7) days. The CSP Limekiln
14 water system must determine which option will be used to
15 conduct the secondary distribution of the notice and notify the
16 Department of their decision no later than **November 29, 2013**.

- 17
- 18 3. Submit the Public Notification required by Directive No. 2 of this Citation to
19 the Department for approval prior to distribution. A sample notice is
20 enclosed (Attachment A) that may be used to fulfill the notification
21 requirement. **The CSP Limekiln water system must edit the wording
22 of the sample notification as necessary.**

- 23
- 24 4. Proof of Notification must be provided to the Department by submitting a
25 copy of the notice posted and distributed to the customers with the
26 completed Proof of Notification form (Attachment B), to the Department
27 **within ten (10) days following issuance of the Public Notification.**



1 5. The CSP Limekiln water system shall comply with all routine and repeat
2 monitoring requirements for coliform bacteria as specified in CCR,
3 Sections 64421 through 64426.5.
4

5 All responses to the directives contained in this Citation shall be submitted to:
6
7

8 Jan R. Sweigert, P.E.
9 District Engineer, Monterey District
10 California Department of Public Health
11 Drinking Water Field Operations Branch
12 1 Lower Ragsdale, Building. 1, Suite 120
13 Monterey, CA 93940
14

15 **Further Enforcement Actions**
16

17 Division 104, Part 12, Chapter 4, (commencing with section 116270) of the
18 California Health and Safety Code authorizes the Department to: issue additional
19 citations with assessment of penalties if a public water system continues to fail to
20 correct a violation identified in a citation; take action to suspend or revoke a
21 permit that has been issued to a public water system if the system has violated
22 applicable law or regulations or has failed to comply with orders of the
23 Department; and petition the superior court to take various enforcement
24 measures against a public water system that has failed to comply with orders of
25 the Department. By issuance of this Citation, the Department does not waive
26 any right to take additional or alternative enforcement action against the System
27 including, but not limited to, assessment of penalties as authorized by law.



1 Failure to comply with any provision or directive of this Citation may result in the
2 Department imposing penalties.

3 11/6/2013
4 Date

5 Jan R. Sweigert
6 District Engineer, Monterey District
7 DRINKING WATER FIELD OPERATION BRANCH



13 Enclosures: Attachment A: Public Notification Sample
14 Attachment B: Proof of Notification Form

15 **CERTIFIED MAIL NO. 7008-1830-0004-5435-4743**
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Instructions for Tier 3 Monitoring Violations Annual Notice Template

Template Attached

Since most monitoring violations are included in Tier 3, you must provide public notice to persons served within one year after you learn of the violation [California Code of Regulations, Title 22, Chapter 15, Section 64463.7(b)]. Multiple monitoring violations can be serious. **Each water system required to give public notice must submit the notice to the Department for approval prior to distribution or posting, unless otherwise directed by the Department [64463(b)].**

Notification Methods

You must use the methods summarized in the table below to deliver the notice to consumers. If you mail, post, or hand deliver, print your notice on letterhead, if available.

<i>If You Are a...</i>	<i>You Must Notify Consumers by...</i>	<i>...and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method...</i>
Community Water System [64463.7(c)(1)]	Mail or direct delivery ^(a)	Publication in a local newspaper
		Posting ^(b) in conspicuous public places served by the water system or on the Internet
		Delivery to community organizations
Non-Community Water System [64463.7(c)(2)]	Posting in conspicuous locations throughout the area served by the water system ^(b)	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting ^(b) on the Internet or intranet
		Direct delivery to each customer

(a) Notice must be distributed to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system.

(b) Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.

The notice attached is appropriate for the methods described above, insertion in an annual notice, or included in the Consumer Confidence Report¹. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the standard language for monitoring and testing

¹ CCR may be used as long as public notification timing and delivery requirements are met [64463.7(d)].

procedure violations and notification language in italics unchanged. This language is mandatory [64465].

You may need to modify the template for a notice for individual monitoring violations. The template presents violations in a table; however, you may write out an explanation for each violation if you wish. For any monitoring violation for volatile organic compounds (VOCs) or other groups, you may list the group name in the table, but you must provide the name of every chemical in the group on the notice (e.g., in a footnote). An example is shown in the table below.

<i>Contaminant</i>	<i>Required Sampling Frequency</i>	<i>Number of Samples Taken</i>	<i>When All Samples Should Have Been Taken</i>	<i>When Samples Were or Will Be Taken</i>
VOCs ^(a)	1 sample every 3 years	None	2002 – 2005	February 2006

(a) Benzene; Carbon Tetrachloride; 1,2-Dichlorobenzene; 1,4-Dichlorobenzene; 1,1-Dichloroethane; 1,2-Dichloroethane; 1,1-Dichloroethylene; cis-1,2-Dichloroethylene; trans-1,2-Dichloroethylene; Dichloromethane; 1,2-Dichloropropane; 1,3-Dichloropropene; Ethylbenzene; Methyl-*tert*-butyl ether; Monochlorobenzene; Styrene; 1,1,2,2-Tetrachloroethane; Tetrachloroethylene; Toluene; 1,2,4-Trichlorobenzene; 1,1,1-Trichloroethane; 1,1,2-Trichloroethane; Trichloroethylene; Trichlorofluoromethane; 1,1,2-Trichloro-1,2,2-Trifluoroethane; Vinyl Chloride; and Xylenes.

You may need to modify the notice if you had any monitoring violations for which monitoring later showed a maximum contaminant level or other violation. In such cases, you should refer to the public notice you issued at that time.

Multilingual Requirement

Spanish. Each public notice must contain information in Spanish regarding (1) the importance of the notice or (2) contain a telephone number or address where Spanish-speaking residents may contact the water system to obtain a translated copy of the public notice or assistance in Spanish.

Non-English Speaking Groups Other than Spanish-Speaking. For each group that exceeds 1,000 residents or 10% of the residents in the community served, whichever is less, the public notice must (1) contain information in the appropriate language(s) regarding the importance of the notice or (2) contain a telephone number or address where such residents may contact the water system to obtain a translated copy of the notice or assistance in the appropriate language.

Population Served

Make sure it is clear who is served by your water system - you may need to list the areas you serve.

Corrective Actions

In your notice, describe corrective actions you took or are taking. Listed below are some steps commonly taken by water systems with monitoring violations. Choose the appropriate language, or develop your own:

- "We have since taken the required samples, as described in the last column of the table above. The samples showed we are meeting drinking water standards."
- "We have since taken the required samples, as described in the last column of the table above. The sample for [contaminant] exceeded the limit. [Describe corrective action; use information from public notice prepared for violating the limit.]"
- "We plan to take the required samples soon, as described in the last column of the table above."

After Issuing the Notice

Send a copy of each type of notice and a certification that you have met all the public notice requirements to the Department within ten days after you issue the notice [64451(d)]. You should also issue a follow-up notice in addition to meeting any repeat notice requirements the Department sets.

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately.

It is a good idea to issue a "problem corrected" notice when the violation is resolved.

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

**Bacteriological Monitoring and Reporting
Requirements Not Met for
CSP Limekiln
Water System No. 2710306**

Our water system failed to monitor as required for drinking water standards during September 2013 and, therefore, was in violation of the state drinking water regulations. Even though this failure was not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During the month of September 2013, the CSP Limekiln water system failed to collect one of two distribution samples for coliform bacteria analysis testing and therefore, cannot be sure of the quality of our drinking water within that sampling area during that time.

What should I do?

- There is nothing you need to do at this time.
- The table below lists the contaminant(s) we did not properly test for during the last year, how many samples we are required to take and how often, how many samples we took, when samples should have been taken, and the date on which follow-up samples were (or will be) taken.

<i>Contaminant</i>	<i>Required Sampling Frequency</i>	<i>Number of Samples Taken</i>	<i>When All Samples Should Have Been Taken</i>	<i>When Samples Were or Will Be Taken</i>
Coliform	Two samples every month	1	Two samples each during September 2013	Two distribution samples were collected during October 2013 & are scheduled monthly thereafter

- If you have health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

The correct number of samples for bacteriological analysis testing of the drinking water was not completed during the month September 2013. Two samples for bacteriological analysis testing from the distribution system were collected during October 2013 and are scheduled to be collected monthly thereafter.

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- **SCHOOLS:** Must notify school employees, students, and parents (if the students are minors).
- **RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS** (including nursing homes and care facilities): Must notify tenants.
- **BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS:** Must notify employees of businesses located on the property.

This notice is being sent to you by the CSP Limekiln water system.

State Water System ID#: 2710306

Date distributed: _____

System Representative Name & Title: _____

Water System Representative Signature: _____

PROOF OF NOTIFICATION**Citation No. 02-05-13C-011-2710306-24****CSP Limekiln****System Number: 2710306****Certification**

As required by Section 116450 of the California Health and Safety Code, I notified the users of the water supplied by the CSP Limekiln water system of the violation of Title 22, California Code of Regulations for the compliance period September 2013. I complied with the directives of this Citation as indicated below:

<u>Required Action</u>	<u>Date Completed</u>
Public Notification – Posting	
Public Notification – List Secondary Method Used: _____	
Proof of Notification	
_____ Signature of Water System Representative	_____ Date

***** Attach a copy of the notice distributed. *******THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT**

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.